REMARKS/ARGUMENTS

This Amendment is in response to the first Office Action mailed November 20, 2003. Claims 1-18 were examined in the Office Action and all were rejected.

In this response, claims 2 and 12 have been amended to improve their form. Three (3) new claims have been added to further clarify and describe the solution to inadvertent input signals. These claims do not add any new matter. No claims have been canceled. Claims 1-21 are currently pending. Reconsideration of the outstanding rejections is respectfully requested in light of these remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 5, 10, 11 and 14

Claims 1, 5, 10, 11 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Launzel (USPN 4,179,733). The applicant respectfully transverses the Examiner's rejection based upon Launzel, cited above. That is, with respect to the §102(b) rejection the cited reference does not identically disclose all of the limitations of the claimed invention. Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

With respect to the current invention, as defined more clearly in the claims, the invention relates to locking user input elements from inadvertent input on a small computer device. As discussed in the specification, the small computer devices relate to hand held computers, such as PDAs, that are highly portable. Indeed, in the background section of the application, one problem discussed with the small computer devices is that these devices are often placed in brief cases, purses or tote bags such that the user input elements may be inadvertently depressed such that the small computer device may accidentally be activated. Such inadvertent actions cause a host of specific issues related to the small computer device, including loss of battery life, loss of data and/or accidental

telephone charges. The present invention solves many of these problems by automatically locking the user input elements.

The Launzel reference relates to "a device which controls the access of users to a communication system. . ." (Launzel, Col. 1, Line 32). The purpose of the Launzel invention is to provide a means for "prevent[ing] the unauthorized use of the communication system unless and until an appropriate code sequence is entered." (Launzel, Col. 1, Line 8-11). The Launzel invention operates by limiting the number of combinations a person may try before an enforced period of waiting is applied. Further, the Launzel invention limits the window of opportunity for a person to enter the correct combination. Specifically, Launzel describes a system to prevent the unauthorized users from gaining access to a communication system. Launzel does not, however, describe the automatic locking of small computer device.

Launzel discloses that the security system is useful for a mobile communication system such as CB radios but does not disclose that the system itself is mobile. Although the communication system may be mobile by a motor vehicle, it is not highly portable or easily mobile for a person carrying the communication system. Indeed, the systems contemplated by Launzel are not the handheld computer systems described in the present application, and the concept of preventing inadvertent input (as in the present application) is entirely different from preventing unauthorized access (as in Launzel). While a person may inadvertently enter an incorrect combination in the Launzel system, that person is knowingly attempting to gain accesses. The Launzel reference never mentions or suggests preventing inadvertent and unknown inputs into a microcomputer.

Accordingly, claims 1, 5, 10, 11 and 14 are not anticipated by Launzel. The invention cited in the reference and the instant invention are different; each address a different need. More specifically, since the Launzel reference does not show or describe, explicitly or inherently, the locking of user interface elements on a small computer system to prevent inadvertent entry of input signals, Launzel cannot anticipate these claims. Applicant respectfully requests that the rejection under 35 U.S.C. § 102(b) be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 2-4, 12 and 13

Claims 2-4, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Launzel et al. (USPN 4,179,733) in view of Martensson (USPN 5,241,683). Applicant respectfully traverses the rejections of claims 2-4, 12 and 13 as the Office Action fails to establish a prima facie case of obviousness in light of the reference. A prima facie case of obviousness can only be established when all of the following requirements are met: (1) **there must be some suggestion or motivation in the references themselves to combine the references**; (2) there must be a reasonable expectation of success; and (3) the reference or combination of references must teach or suggest all the claim limitations. See MPEP §§ 706.02(j) and 2143.

Claims 2-4 depend from claim 1, while claims 12 and 13 depend from claim 11. These dependent claims further define the invention in terms of the process of unlocking the user input elements and/or providing a graphical user interface for the user.

As discussed above Launzel does not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device.

Martensson does not satisfy the inadequacies of Launzel. Martensson addresses and solves the problem of inadvertent inputs by disabling the keyboard by manually depressing a predefined series of user input elements, such as On/Off followed by the # key. (Martensson col. 5 lines 10-24). Martensson teaches that the user must take action to put the device into a lock mode rather than an automatic lock mode. Although Martensson appears to solve the same problem in a similar manner, the opposite is true. Indeed, Martensson solves the same problem in an entirely different manner since the user must enter proper keystrokes to disable the user input elements. That is, Martensson does not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device.

Thus, since the references, either alone or in combination do not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a

small computer device, a prima facie case of obviousness has not been established. Consequently, reconsideration of the outstanding rejection is respectfully requested.

Furthermore, assuming *arguendo* that the references do show all the claimed elements, a prima facie case of obviousness has not been established since there is no suggestion, in the references, to combine Launzel and Martensson. Indeed, Martensson teaches away from a system that automatically locks the small computer devices as Martensson requires that the user manually lock the phone in order to avoid the situation where the phone keeps locking automatically. "The keys in question are diametrically opposed, that is to say they are two of the most widely separated keys on the keypad. It is unlikely, therefore that these two keys will be depressed accidentally or inadvertently either by the user or by a foreign object. Furthermore, these two keys are not required in normal operation of the phone to be depressed in succession (or together)." (Martensson Col. 5 Lines 2-7). Thus, Martensson teaches that locking keys are spread apart and not used together in operation, to prevent inadvertent locking, and is only locked when the user takes specific steps to lock the keypad. Consequently, the only interpretation of Martensson is that it is undesirable to have an automatic locking signal since Martensson goes to great lengths to prevent the phone from being locked unless the user explicitly requests such locking. Martensson, therefore, fails to suggest that a person would want to automatically lock their phone and further teaches away from such a system.

Further, Martensson is concerned with locking to prevent inadvertent inputs, while Launzel is concerned with blocking unauthorized access to a communication system. Each reference solves different problems in different fields. Indeed, Martensson teaches limiting the time between keystrokes so as "to further reduce the risk of accidental actuation." (Martensson Col. 6, Lines 7-8). Martensson does not contemplate using the locking system to prevent unauthorized use. The unlocking of Martensson is a simple input sequence such as the ON/OFF key in conjunction with the # key that most users would know and understand. Conversely, the locking of Launzel is designed to prevent unauthorized users from knowing the access code and therefore the code would be complex. Thus, the teachings of Martensson are in direct opposition to that of Launzel and there is no teaching or suggestion to combine the references.

Since there must be some suggestion or motivation in the references themselves in order to establish a prima facie case of obviousness, and since there is no motivation or suggestion to combine Launzel and Martensson, particularly because Martensson teaches away from such a combination, Applicant asserts that claims 2- 4, 12 and 13 are not obvious over Launzel in view of Martensson. Applicant respectfully requests the Examiner to withdraw this rejection.

Claims 6 and 15

Claims 6 and 15 stand rejected under § 103(a) as being unpatentable over Launzel et al. in view of Gavrilovic et al. (USPN 6,422,145). Applicant respectfully traverses the rejections of claims 6 and 15 under 35 U.S.C. § 103(a) due to the failure of the Office Action to establish a prima facie case of obviousness in light of the combination of references.

Claims 6 and 15 depend from claims 1 and 11, respectively. Each further defines the invention as including an automatic sleep/shutoff mode.

As discussed above, the Launzel reference relates to a security system for preventing unauthorized access and does not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device.

The Gavrilovic reference solves the problem of errant detonation of explosives. Gavrilovic teaches that two separate codes must be received, an ARM code that begins a timer and a FIRE code that detonates the charge (Gavrilovic col. 2 lines 5-30). The necessity of two codes corresponds to the need for safety (Gavrilovic col 1 lines 62-64). The safety of explosives are not related to small computer devices. Therefore, Gavrilovic is nonanalogous art and does not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device.

Further, Gavrilovic teaches a complete shut down of the micro controller if the proper codes are not entered within a predetermined time. "If this does not occur [referring to receiving the codes] the micro controller will ignore all incoming signals and effectively go to sleep. The only way that the sequence can be reinitialized after this has occurred is to be powered down and repowered." (Gavrilovic Col. 10, Lines 36-38). The

reason for the power down in Gavrilovic is to prevent errant detonation of explosives. The power down cuts complete power to the system, something that is impractical and undesirable for small computer devices since users need the ability to access them without having to first turn them off and then back on. Having to shut a small computer off and then subsequently restart it each time it locks is unworkable. Solving the problem of errant explosive detonation is different from preventing inadvertent user inputs on a small computing device. The inadvertent input on a cell phone for example causes much less damage and ruin than an errant detonation of explosives.

Thus, since the references, either alone or in combination do not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device, a prima facie case of obviousness has not been established. Consequently, reconsideration of the outstanding rejection is respectfully requested.

Claims 8 and 17

Claims 8 and 17 stand rejected under § 103(a) as being unpatentable over Launzel in view of Keen (USPN 5,526,422). Applicant respectfully traverses the rejections of claims 8 and 17 under 35 U.S.C. § 103(a) due to the failure of the Office Action to establish a prima facie case of obviousness in light of the combination of references. Claims 8 and 17 specifically relate to the use of touch screen on the small computer device.

As discussed above, the Launzel reference relates to a security system for preventing unauthorized access and fails to teach or suggest all the claim limitations, e.g., automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device.

Keen solves inadvertent signals during cleaning by means of a "clean screen" button that when pressed tells the possessor to ignore all input signals. Keen requires the user to manually tell the screen to ignore all inputs. (Keen col. 5 line 45-53). Prior to the actions of the user, the screen "is in an active screen mode." (Keen col. 5 line 20-21). The only interpretation is having a touch screen automatically turn off is undesirable. Keen does not teach automatic locking since automatic locking would prevent users from

using the touch screen. In Keen, locking is only desirable when the screen is told to lock. Therefore, Keen teaches away from an automatically locking screen in much the same way that Martensson does with respect to input buttons on the small computer device.

Since Keen teaches that the screen is active before the user takes the action and does not automatically lock, Applicant respectfully asserts that claims 8 and 17 are not obvious over Launzel in view of Keen. Applicant respectfully requests the Examiner to withdraw this rejection.

Assuming *arguendo* that Keen does teach to automatic locking, the prima facie case of obvious has not been made because there is no motivation to combine the references of Launzel and Keen. Keen's locking mechanism is designed to prevent unwanted inputs from a touch screen, for example during cleaning. The Launzel lock is designed to prevent unauthorized access to a communication system. Keen does not consider locking input elements to prevent unauthorized entries since the Keen invention is for use with public touch screens such as a telephone. In fact, locking entries is abhorrent to Keen, since the touch screens in Keen deal with consumer oriented applications, such as a telephone, where it is undesirable to lock out the consumer. Launzel and Keen solve very different problems. The solution of Launzel is contrary to the desires of Keen there is no motivation to combine the reference. Applicant therefore further requests the Examiner to withdraw this rejection in light of the failure to provide motivation to combine the references.

Claims 7 and 16

Claims 7 and 16 stand rejected under § 103(a) as being unpatentable over Launzel in view of Borgendale et al. (USPN 6,457,132). Applicant respectfully traverses the rejections of claims 7 and 16 as the Office Action fails to establish a prima facie case of obviousness in light of the reference. As discussed above, a prima facie case of obviousness can only be established when all of the following requirements are met: (1) there must be some suggestion or motivation in the references themselves to combine the references; (2) there must be a reasonable expectation of success; and (3) the reference or

combination of references must teach or suggest all the claim limitations. See MPEP §§ 706.02(j) and 2143.

As defined more clearly in the claims, claims 7 and 16 relate to the use of calendar type application to create or cause the internally generated lock signal. As a result, the calendar may be set to identify periods of time that the small computer device may be in a purse or brief case and therefore should be placed in the locked mode.

As discussed above, the Launzel reference relates to a security system for preventing unauthorized access and fails to teach or suggest all the claim limitations, e.g., automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device. Launzel does not show or describe a calendar system, nor does it provide any motivation or suggestion to incorporate such a calendar system to prevent inadvertent input signals. Indeed, since Launzel is only concerned with locking out unauthorized persons, there is no motivation to combine Launzel with any reference concerned with inadvertent input signals.

Borgendale does not satisfy the inadequacies of Launzel. Borgendale describes a system that manages power using an event calendar. However, Borgendale does not describe a system that automatically locks user input elements in order to prevent inadvertent inputs on a small computer device.

Thus, since the references, either alone or in combination do not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device, a prima facie case of obviousness has not been established. Consequently, reconsideration of the outstanding rejection is respectfully requested.

Further, under Launzel it does not make sense to create a security system that will lock or unlock at scheduled times because it would allow unauthorized users access to the system on a predetermined schedule. There is no motivation to combine the security system of Launzel and the calendar power management system of Borgendale. The Applicant therefore further urges reconsideration of this rejection based on this additional rationale.

Claims 9 and 18

Claims 9 and 18 stand rejected under § 103(a) as being unpatentable over Launzel in view of Gavrilovic et al. and further in view of Borgendale et al. Applicant respectfully traverses the rejections of claims 9 and 18 as the Office Action fails to establish a prima facie case of obviousness in light of the reference. Claims 9 and 18 relate to the automatic display of reminders, while the user input elements remain locked.

As discussed in detail above, neither the Launzel, the Borgendale or the Gavrilovic references, alone or in combination show or describe all the claimed limitations of claims. In particular, none of these references show or describe a user interface that displays reminders from a calendar based application, while the user input elements remain locked. There is no motivation to combine a security system of Launzel with a calendar of Borgendale, which unlocks a security system, allowing the unauthorized users in, that it was designed to lock out. Further Gavrolivic teaches turning the system off in order to turn the system back on. The teachings of Gavrilovic are incompatible with the teachings of Launzel and Borgendale. A Gavrilovic-Launzel system would operate where an incorrect input would require the security system of Launzel to power down before allowing inputs again. In such a system, the calendar of Borgendale would be rendered useless because it would not be allowed to operate until the power down operation. The three cited references are incompatible and contrary to one another. Consequently, there is no motivation to combine the references nor is there any expectation of success. See MPEP §§ 706.02(j) and 2143.

Thus, since the references, either alone or in combination do not show or describe the automatic locking of user input elements in order to prevent inadvertent inputs on a small computer device, since there is no motivation to combine the references and since there is no expectation of success, a prima facie case of obviousness has not been established. Consequently, reconsideration of the outstanding rejection is respectfully requested.

New Claims 19-21

New claims 19-21 require the display of instructions to the user to indicate how to unlock the user input elements. Such a display clearly highlights the difference between the present invention and the Launzel system which is only concerned with preventing unauthorized persons from unlocking the system. Consequently, the new claims are believed to be allowable over the cited prior art.

Conclusion

As originally filed, this application included 18 claims, 3 of which were independent. As amended, the present application now includes 21 claims, 3 of which are independent. Accordingly, a check in the amount of $18.00 is enclosed for the fee for the additional claims. It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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